

against the proposition: "The constitutional amendment to allow the legislature to provide by general law for the apportionment of the value of railroad rolling stock among counties for purposes of property taxation."

Adopted by the Senate on March 7, 1985, by the following vote: Yeas 30, Nays 0;
adopted by the House on May 16, 1985, by the following vote: Yeas 136, Nays 0,
two present not voting.

Received: May 22, 1985

To be voted on: November 4, 1986

S.J.R No. 16

Senate Joint Resolution proposing a constitutional amendment relating to the manner in which a person is charged with a criminal offense and to certain requirements applicable to state writs and processes.

Be it resolved by the Legislature of the State of Texas:

SECTION 1. Article V, Section 12, of the Texas Constitution is amended to read as follows:

"Section 12. (a) All judges of courts of this State, by virtue of their office, are [be] conservators of the peace throughout the State. [The style of all writs and process shall be: 'The State of Texas.' All prosecutions shall be carried on in the name and by authority of the State of Texas, and shall conclude: 'Against the peace and dignity of the State.']"

"(b) An indictment is a written instrument presented to a court by a grand jury charging a person with the commission of an offense. An information is a written instrument presented to a court by an attorney for the State charging a person with the commission of an offense. The practice and procedures relating to the use of indictments and informations, including their contents, amendment, sufficiency, and requisites, are as provided by law. The presentment of an indictment or information to a court invests the court with jurisdiction of the cause."

SECTION 2. This proposed constitutional amendment shall be submitted to the voters at an election to be held November 5, 1985. The ballot shall be printed to provide for voting for or against the proposition. "The constitutional amendment relating to the manner in which a person is charged with a criminal offense and to certain requirements applicable to state writs and processes."

Adopted by the Senate on March 21, 1985, by the following vote: Yeas 26, Nays 0;
adopted by the House on May 8, 1985, by the following vote: Yeas 129, Nays 8,
one present not voting.

Received: May 14, 1985

To be voted on: November 5, 1985

S.J.R No. 21

Senate Joint Resolution proposing a constitutional amendment to authorize use of proceeds from the sale of permanent school fund land to acquire other land as part of the permanent school fund.

Be it resolved by the Legislature of the State of Texas:

SECTION 1. Article VII, Section 4, of the Texas Constitution is amended to read as follows:

"Section 4. The lands herein set apart to the Public Free School fund, shall be sold under such regulations, at such times, and on such terms as may be prescribed by law; and the Legislature shall not have power to grant any relief to purchasers thereof. The [Comptroller shall invest the] proceeds of such sales must be used to acquire other land for the Public Free School fund as provided by law or the proceeds shall be invested by the treasurer; and of those heretofore made], as may be directed by the Board of Education herein provided for, in the bonds of the United States, the State of Texas, or counties in said State, or in such other securities, and under such restrictions as may be prescribed by law; and the State shall be responsible for all investments."

SECTION 2. This proposed constitutional amendment shall be submitted to voters at an election to be held on November 5, 1985. The ballot shall be printed to provide for voting for or against the proposition: "The constitutional amendment authorizing proceeds from the sale of land dedicated to the permanent school fund to be used to acquire other land for that fund."

Adopted by the Senate on March 20, 1985, by the following vote: Yeas 27, Nays 0;
adopted by the House on May 21, 1985, by the following vote: Yeas 137, Nays 5,
five present not voting.

Received: May 29, 1985

To be voted on: November 5, 1985

S.J.R. No. 27

Senate Joint Resolution proposing a constitutional amendment to abolish certain county offices in certain counties.

Be it resolved by the Legislature of the State of Texas:

SECTION 1. Article XVI, Section 44, of the Texas Constitution is amended to read as follows:

"Section 44. (a) Except as *otherwise* provided by ~~Subsection (b) and Subsection (b)(1) of~~ this section, the Legislature shall prescribe the duties and provide for the election by the qualified voters of each county in this State, of a County Treasurer and a County Surveyor, who shall have an office at the county seat, and hold their office for four years, and until their successors are qualified; and shall have such compensation as may be provided by law.

"(b) The office of County Treasurer in the counties of Tarrant and Bee is abolished and all the powers, duties, and functions of the office in each of these counties are transferred to the County Auditor or to the officer who succeeds to the auditor's functions. *The*

~~"[(b)(1) The]~~ office of County Treasurer in the counties of Bexar and Collin are abolished and all the powers, duties, and functions of the office in each of these counties are transferred to the County Clerk. *However,*

~~"[(c) Provided however, that]~~ the office of County Treasurer shall be abolished in the ~~[above]~~ counties covered by this subsection only after a local election has been held in each county and the proposition 'to abolish the elective office of county treasurer' has passed by a majority of those persons voting in said election.

"(c) The office of County Treasurer in Andrews County is abolished and all the powers, duties, and functions of that office are transferred to the County Auditor of that county or to the officer who succeeds to the auditor's functions.

"(d) The office of County Treasurer in El Paso County is abolished. The Commissioners Court of the county may employ or contract with a qualified person or may designate another county officer to perform any of the functions that would have been performed by the County Treasurer if the office had not been abolished. However, the office of County Treasurer in El Paso County is abolished under this subsection only if, at the statewide election at which this amendment is submitted to the voters, a majority of the voters of El Paso County voting on the question at that election favor the amendment.

"(e) The office of County Surveyor in the counties of Denton, Randall, Collin, Dallas, El Paso, and Henderson is abolished upon the approval of the abolition by a majority of the qualified voters of the respective county voting on the question at an election that the Commissioners Court of the county may call. If the election is called, the Commissioners Court shall order the ballot at the election to be printed to provide for voting for or against the proposition: 'Abolishing the office of county surveyor.' Each qualified voter of the county is entitled to vote in the election. If the office of County Surveyor is abolished under this subsection, the maps, field notes, and other records in the custody of the County Surveyor are transferred to the County Clerk of the county. After abolition, the Commissioners Court may employ or contract with a qualified person to perform any of the functions that would have been performed by the County Surveyor if the office had not been abolished.

"(f) The office of County Treasurer in Andrews County is abolished under Subsection (c) of this section on the adoption of the constitutional amendment that added that subsection and that was proposed by Senate Joint Resolution 27 of the 69th Legislature, Regular Session, 1985. The office of County Treasurer in El Paso County is abolished under Subsection (d) of this section on January 1, 1986, if the conditions of that subsection are met. If that office in El Paso County is not abolished, Subsection (d) of this section expires January 1, 1986. This subsection expires January 2, 1986."